

is given him in class. The component parts of a good medical education are given him, but little attempt is made by the faculty to make him realize their relation to the whole.

It would be better, said Doctor Marriott, if, from the very start of the course, the student could have before him some picture of the complete medical education. The curriculum of the medical school should be so coordinated that each separate subject would be taught not as an isolated branch, but as part of a central idea.

There should be no break between preclinical and clinical instruction, according to the article. The study of medical sciences should be continued while clinical study is being carried on.

The unification of the curriculum, said Doctor Marriott, would necessarily mean the breaking down of some department lines and a mingling of the members of the departments. Frequent symposiums and comprehensive examination in which many branches of medical science are treated would be represented would be beneficial.

LETTERS

Concerning ownership of x-ray plates.

San Francisco, March 10, 1937.

To the Editor:—Inasmuch as there is now pending before the California Legislature numerous bills for the regulation of the practice of medicine, I believe it timely to call to the attention of my colleagues the following case. Within the last ten or more years the atmosphere has become so charged with court actions against the physician and surgeon that every act of the profession is an excuse for legal procedure.

The action brought against me was by husband and wife, both of whom had been patients for which both medical and surgical services had been rendered. They demanded recovery of x-ray films, laboratory reports, and damages of \$1,250. These reports they asked be turned over to them for possession, refusing the offer made by me that I would allow any physician to whom they wished to go subsequently, the opportunity to see and obtain all information in my hands.

The case was heard in the municipal court of Judge Alfred J. Fritz, San Francisco. In deciding this case in favor of the physician, Judge Fritz's decision was as follows: "There are no decisions in the State of California on the point, and the only case in the United States that counsel for either side have been able to find is that of *McGarry vs. J. A. Mercier Co.*, decided by the Supreme Court of Michigan on September 9, 1935, and appearing in Volume 262, N. W. Reporter, at page 296, which was concurred in by the entire bench."

In that case, Judge Fritz quotes in part from the opinion of the court, as follows:

In the absence of agreement to the contrary, such negatives are the property of the physician or surgeon who made them incident to treating a patient. It is a matter of common knowledge that x-ray negatives are practically meaningless to the ordinary laymen. But their retention by the physician or surgeon constitutes an important part of his clinical record in the particular case, and in the aggregate these negatives may embody and preserve much of value incident to a physician's or surgeon's experience. They are as much a part of the history of the case as any other case record made by a physician or surgeon. In a sense they differ little, if at all, from microscopic slides of tissue made in the course of diagnosis or treating a patient, but it would hardly be claimed that such slides were the property of the patient. Also, in the event of a malpractice suit against a physician or surgeon, the x-ray negatives which he has caused to be taken and preserved incident to treating the patient might often constitute the unimpeachable evidence which would fully justify the treatment of which the patient was complaining. In the absence of an agreement to the contrary, there is every good reason for holding that x-rays are the property of the physician or surgeon rather than of the patient . . . who employed such phys-

sician or surgeon, notwithstanding the cost of taking the x-rays was charged to the patient . . . while not fully to the point, it has been indicated by court decisions that the negatives of an ordinary photograph, in the absence of an agreement otherwise, belongs to the operating photographer, though his use thereof may be restricted.

This case and decision will undoubtedly set a precedent in the State of California. I believe that through closer cooperation between the two great organizations, Law and Medicine, in this State as well as throughout the United States, much could be accomplished to establish a better understanding and in this way there might be a marked decrease in all types of court actions against the physician and surgeon. These have become all too frequent, especially in our own locality. The increase of our protection rates bears witness to this fact.

516 Sutter Street.

ROBERT A. OSTEROFF, M.D.

Concerning recent appointments to State Board of Medical Examiners.

The following letter was sent to Governor Frank Merriam by Dr. William R. Molony, President of the State Board of Medical Examiners:

Los Angeles, California,
March 5, 1937.

Hon. Frank Merriam
Governor of the State of California
Sacramento, California
Dear Governor:

I want to thank you for your very cordial expression of confidence in the Board of Medical Examiners as shown in your recent reappointment of Doctors Charles E. Schoff and William H. Geistweit, Jr. These physicians have served with distinction and have rendered valuable service to the people of California as members of the Board of Medical Examiners.

The medical profession of this State join with me in expressing to you their gratitude and thanks for making it possible to retain these two splendid doctors upon the board.

May I take this opportunity also to tell you of the splendid and worth while service and cooperation shown to the Board of Medical Examiners and the profession of this State by Mr. William G. Bonelli. It is indeed a great pleasure to have associated with us as the Director of Vocational Standards such a fine, understanding and sympathetic person as found in Mr. Bonelli.

I am very cordially yours,

WILLIAM R. MOLONY.

Concerning May Day—Child Health Day, 1937.

The following letters explain themselves:

U. S. DEPARTMENT OF LABOR
CHILDREN'S BUREAU
WASHINGTON

February 20, 1937.

Dr. George Kress, Editor
CALIFORNIA AND WESTERN MEDICINE
304 South Broadway
Los Angeles, California

My dear Doctor Kress:

Dr. W. W. Bauer, Director, Bureau of Health and Public Instruction of the American Medical Association, has suggested that we send to you the enclosed Suggestions for the Observance of May Day—Child Health Day, 1937, with the request that you give same notice of it in your State medical journal.

As you will notice, the State health officer appoints a May Day chairman for each State, who is usually the director of the division of maternal and child health in the State Department of Public Health. If you can give space for an article on child health in your April or May issue, the director of that division will probably be glad to supply you with information on child health in your State to include in the article.

We will appreciate whatever you find it possible to do to emphasize the importance of "Health Protection for Every Child" in connection with May Day—Child Health Day, 1937.

Sincerely yours,

MARTHA M. ELIOT, M. D.
Assistant Chief.